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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/040,532 | 01/07/2002 | Daniel M. Lewin | 12293-69A | 9797 |

7590 03/28/2005

David H. Judson
Assistant General Counsel - Intellectual Property
500 Technology Square
Cambridge, MA 02139

EXAMINER

SHIFERAW, ELENI A

| ART UNIT | PAPER NUMBER |
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2136

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

APR 05 2005

Technology Center 2100

Office Action Summary

Application No.

10/040,532

Applicant(s)

LEWIN ET AL.

Examiner

Eleni A Shiferaw

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2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/07/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAIL ACTION

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: The application is not signed by all the inventors.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Salo et al. (Salo Pub. No.: US 2004/0193695 A1).

As per claim 1, Salo teaches a method operative in an Internet content delivery network (ICDN) having a set of content servers organized into regions and that provides delivery of Internet content on behalf of participating content providers (Salo Fig. 1C No. 164; EGS#1, EGS#2,EGS#X), comprising:

establishing a set of one or more enterprise CDN regions topologically near an enterprise firewall (Salo Fig. 1 No. 18, 22, and page 5 par. 0066), wherein each enterprise CDN region has one or more ECDN-aware surrogate origin servers (Salo Page 5 par. 0059, par. 0067 lines 14-18);

responsive to a request for given ECDN content originating from an a given entity, mapping the given entity to a preferred enterprise CDN region that is likely to host the given ECDN content (Salo Page 5 par. 0061-0062, and page 6 par. 0071-0073);

determining if the given entity is authorized to obtain the given ECDN content (Salo Page 5 par. 0061-0062, and page 6 par. 0069); and

if the given entity is authorized to obtain the given ECDN content, attempting to serve the given ECDN content from the preferred enterprise CDN region (Salo Page 5 par. 0061-0062, and page 6 par. 0069).

As per claim 2, Salo teaches the method wherein the request for given ECDN content identifies a domain that is aliased to an ICDN domain (Salo Page 4 par. 0053).

As per claim 3, Salo teaches the method wherein the ECDN is published to the ECDN-aware surrogate origin servers in an encrypted format (Salo Page 7 par. 0050-0082).

As per claim 4, Salo teaches the method further including the steps of: determining whether the given ECDN content is available from the preferred enterprise CDN region (Salo Page 5 par. 0066, and page 6 par. 0068-0069); and

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if the given ECDN content is not available from the preferred enterprise CDN region, tunneling back through the enterprise firewall to attempt to fetch the given ECDN content (Salo Page 5 par. 0066, and page 6 par. 0068-0069).

As per claim 5, Salo teaches the method wherein the tunneling occurs over an authenticated and encrypted channel (Salo Page 7 par. 0083).

As per claim 6, Salo teaches the method wherein the given entity is an end user behind the enterprise firewall (Salo Page 5 par. 0058).

As per claim 7, Salo teaches the method wherein the given entity is an end user associated with an enterprise partner (Salo Fig. 1 No. 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salo et al. (Salo Pub. No.: US 2004/0193695 A1) and further in view of Cohen et al. (Cohen, Patent No.: US 6,178,511 B1)

As per claim 8, Salo teaches a method operative in an Internet content delivery network (ICDN) having a set of content servers organized into regions and that provides delivery of Internet content on behalf of participating content providers, comprising:

establishing a first enterprise CDN region topologically near an enterprise firewall (Salo Fig. 1 No. 18, 22, and page 5 par. 0066), wherein the first enterprise CDN region has one or more ECDN-aware surrogate origin servers (Salo Page 5 par. 0059, par. 0067 lines 14-18);

attempting to serve the given content from the respective enterprise CDN region (Salo Page 5 par. 0061-0062, and page 6 par. 0069).

Salo fails to explicitly teach: establishing a second enterprise CDN region within the enterprise firewall, wherein the second enterprise CDN has one or more ICDN-aware surrogate origin servers;

responsive to a request for given content originating from an end user within the enterprise, mapping the end user to the first enterprise CDN region if the given content is ECDN content and mapping the end user to the second enterprise CDN region if the given content is ICDN content;

However Cohen discloses:

establishing applications on multiple enterprise content delivery network and a user requiring content from multiple different enterprise content delivery network region within the enterprise network and the SSO framework (ECDN) being aware of the different applications on

ECDN in order to authenticate a user and provide content to a user (Cohen Col. 2 lines 28-31 and col. 6 lines 38-41) that reads on establishing a second enterprise CDN region within the enterprise firewall, wherein the second enterprise CDN has one or more ICDN-aware surrogate origin servers; and

a user is authenticated and mapped to a multiple different target systems and applications depending on the user preference (Cohen Col. 2 lines 28-31 and col. 6 lines 38-41) that reads on responsive to a request for given content originating from an end user within the enterprise, mapping the end user to the first enterprise CDN region if the given content is ECDN content and mapping the end user to the second enterprise CDN region if the given content is ICDN content;

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Cohen within the system of Salo because it would allow to retrieve contents from multiple different ECDN servers to the user according to the user's selection and SSO framework maps the multiple different ECDN servers to the user.

As per claim 9, Salo and Cohen teach all the subject matter as described above. In addition, Salo teaches the method further including the step of determining whether the end user mapped to the second enterprise CDN region is authorized to retrieve the ECDN content (Salo Page 5 par. 0059-0064).

As per claim 10, Salo and Cohen teach all the subject matter as described above. In addition,

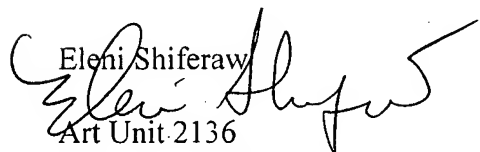
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Salo teaches the method wherein the second enterprise CDN region is established in a public IP address space (Salo Page 5 par. 0059-0064, and page 4 par. 52-53).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A Shiferaw whose telephone number is 571-272-3867. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw

Art Unit-2136
March 21, 2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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|-----------------------------------|---------------------------------------|--|-------------|
| Notice of References Cited | Application/Control No. 10/040,532 | Applicant(s)/Patent Under Reexamination LEWIN ET AL. | |
| | Examiner Eleni A Shiferaw | Art Unit 2136 | Page 1 of 1 |

U.S. PATENT DOCUMENTS

| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|--|-----------------|-------------------|----------------|
| | A | US-2004/0193695 A1 | 09-2004 | Salo et al. | 709/216 |
| | B | US-6,178,511 B1 | 01-2001 | Cohen et al. | 713/201 |
| | C | US-6,609,148 B1 | 08-2003 | Salo et al. | 709/217 |
| | D | US-2005/0021747 A1 | 01-2005 | Jave, Daniel J. | 709/224 |
| | E | US-2002/0055939 A1 | 05-2002 | Nardone et al. | 707/104.1 |
| | F | US-6,826,692 B1 | 11-2004 | White, Clive John | 713/201 |
| | G | US- | | | |
| | H | US- | | | |
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

| * | | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
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| | V | |
| | W | |
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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